United States Bankruptcy Court Southern District of Texas

## **ENTERED**

April 13, 2023 Nathan Ochsner, Clerk

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

IN RE:

\$ CASE NO: 22-90341
CORE SCIENTIFIC, INC., et al.,
\$ CHAPTER 11
\$ David R. Jones
Debtors.
\$ Jointly Administered

# ORDER (Docket No. 787)

The Court has reviewed Gem Mining's Emergency Motion to Compel Assumption or Rejection of Executory Contracts or, in the alternative, for Adequate Protection. Despite seeking emergency relief, no emergency exists. Ordinarily, the Court would simply deny the motion based on the lack of an emergency. In the instant case, however, the allegations made by Gem against the Debtors are troubling. If true, the Court may fashion its own remedial relief against Gem. Accordingly, it is

## **ORDERED THAT:**

- 1. If the payment due April 21, 2023, is timely made, the Debtors shall continue to provide uninterrupted service to Gem under the relevant agreements pending further order.
- 2. The Court shall conduct a hearing on May 22, 2023, at 10:30 a.m. (Central Time) to consider Gem's motion to compel assumption or rejection.
- 3. At the hearing, the parties shall present at a minimum (i) all written communications concerning the events set forth in Gem's motion; (ii) witness testimony concerning the alleged conversations that form the basis of Gem's allegations.

**SIGNED: April 13, 2023.** 

DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

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United States Bankruptcy Court Southern District of Texas

In re: Case No. 22-90341-drj

Core Scientific, Inc.

Chapter 11

Official Committee of Unsecured Creditor

Debtors

# CERTIFICATE OF NOTICE

District/off: 0541-4 User: ADIuser Page 1 of 3
Date Rcvd: Apr 13, 2023 Form ID: pdf002 Total Noticed: 39

The following symbols are used throughout this certificate:

Symbol Definition

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

^ Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

#### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 15, 2023:

Recip ID db	Recipient Name and Address  + American Property Acquisition, LLC, 210 Barton Springs Road, Suite 300, Austin, TX 78704-1251		
db	+ American Property Acquisitions I, LLC, 210 Barton Springs Road, Suite 300, Austin, TX 78704-1251		
db	+ American Property Acquisitions VII, LLC, 210 Barton Springs Road, Suite 300, Austiin, TX 78704-1251		
db	+ Core Scientific Acquired Mining LLC, 210 Barton Springs Road, Suite 300, Austin, TX 78704-1251		
db	+ Core Scientific Mining LLC, 210 Barton Springs Road, Suite 300, Austin, TX 78704-1251		
db	+ Core Scientific Operating Company, 210 Barton Springs Road, Suite 300, Austin, TX 78704-1251		
db	+ Core Scientific Specialty Mining (Oklahoma) LLC, 210 Barton Springs Road, Suite 300, Austin, TX 78704-1251		
db	+ Core Scientific, Inc., 210 Barton Springs Road, Suite 300, Austin, TX 78704-1251		
db	+ RADAR LLC, 210 Barton Springs Road, Suite 300, Austiin, TX 78704-1251		
db	+ Radar Relay, Inc., 210 Barton Springs Road, Suite 300, Austin, TX 78704-1251		
db	+ Starboard Capital LLC, 210 Barton Springs Road, Suite 300, Austiin, TX 78704-1251		
intp	+ Board of Directors of Core Scientific, Inc., c/o Peter C. Lewis, Scheef & Stone, L.L.P., 500 North Akard Street, Suite 2700, Dallas, TX 75201-3306		
intp	+ Condair Inc., c/o John S. Collins, Vorys, Sater, Seymour and Pease LLP, 909 Fannin, Suite 2700, Houston, TX 77010-1009		
cr	+ Dalton Utilities, Howley Law PLLC, 711 Louisiana Street, Ste. 1850, Houston, TX 77002-2790		
cr	+ GEM Mining 1, LLC, c/o Evan N. Parrott, 11 North Water Street, Suite 24290, Mobile, AL 36602-5024		
cr	+ GEM Mining 2, LLC, c/o Evan N. Parrott, 11 North Water Street, Suite 24290, Mobile, AL 36602-5024		
cr	+ GEM Mining 2B, LLC, c/o Evan N. Parrott, 11 North Water Street, Suite 24290, Mobile, AL 36602-5024		
cr	+ GEM Mining 3, LLC, c/o Evan N. Parrott, 11 North Water Street, Suite 24290, Mobile, AL 36602-5024		
cr	+ GEM Mining 4, LLC, c/o Evan N. Parrott, 11 North Water Street, Suite 24290, Mobile, AL 36602-5024		
cr	+ Indigo Direct Lending, LLC, c/o Ross, Smith & Binford, PC, Attn: Frances A. Smith, 700 N. Pearl Street, Suite 1610 Dallas, TX 75201-7459		
cr	+ J.W. Didado Electric, LLC, c/o Leonard I. Pataki, Quanta Services, 4500 S. Garnett Road, Suite 100, Tulsa, OK 74146-5221		
cr	+ LV.NET, LLC, 1221 S. Casino Center Blvd., Las Vegas, NV 89104, UNITED STATES 89104-1015		
cr	+ Maddox Industrial Transformer, LLC, c/o Mary M. Caskey, Esq., Haynsworth Sinkler Boyd, PA, PO Box 11889, Columbia, SC 29211-1889		
intp	+ McCarthy Building Companies, Inc., c/o Watt, Tieder, Hoffar & Fitzgerald, L, 1765 Greensboro Station Place, Suite 1000, McLean, VA 22102-3468		
cr	+ NextEra Energy Resources, LAW/JB, 700 Universe Blvd., Juno Beach, FL 33408, UNITED STATES 33408-2657		
cr	+ North Mill Equipment Finance LLC, c/o Padfield & Stout, LLP, Christopher V. Arisco, 420 Throckmorton Street, Suite 1210, Fort Worth, TX 76102-3792		
cr	+ Pescadero Capital, LLC, Building LAW/JB, 700 Universe Blvd, Juno Beach, FL 33408, UNITED STATES 33408-2657		
cr	+ Tanmar Rentals, LLC, c/o Wells & Cuellar, P.C., 440 Louisiana Suite 718, Houston, TX 77002, UNITED STATES 77002-1058		
cr	+ Tenaska Power Services Co., c/o Ross & Smith, P.C., Attn: Jason Binford, 2003 N. Lamar Blvd., Suite 100 Austin, TX 78705-4932		
cr	+ Travis County, c/o Jason A. Starks, P.O. Box 1748, Austin, TX 78767-1748		
intp	+ U.S. Bank National Association, as Prepetition Not, c/o Shipman & Goodwin LLP, One Constitution Plaza, Hartford, CT 06103-1803		
cr	+ c/o James Bailey Esq Gaylor Electric, Inc., d/b/a, Bradley Arant Boult Cummings LLP, One Federal Place, 1819 5th Ave. N, Birmingham, AL 35203-2119		

## TOTAL: 32

#### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address - Email/Text: ahochheiser@mauricewutscher.com	Date/Time	Recipient Name and Address
CI	+ Email/Text. anochielser@mauricewurscher.com	Apr 13 2023 20:19:00	AmTrust North America, Inc. on behalf of Associate, c/o Maurice Wutscher LLP, 23611

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User: ADIuser

Date Rcvd: Apr 13, 2023 Form ID: pdf002 Total Noticed: 39 Chagrin Blvd. Suite 207, Beachwood, OH 44122-5540 + Email/Text: beanland@mssattorneys.com Apr 13 2023 20:19:00 BEAM Concrete Construction, Inc., c/o Misti L. Beanland, 8131 LBJ Freeway, Suite 700, Dallas, TX 75251-1352 + Email/Text: dallas.bankruptcy@LGBS.com cr Dallas County, Linebarger Goggan Blair & Sampson, LLP, c/o John K. Turner, 2777 N. Apr 13 2023 20:20:00 Stemmons Freeway, Suite 1000, Dallas, TX 75207-2328 + Email/Text: rmcdowell@slgcollect.com cr Apr 13 2023 20:19:00 Meridian Equipment Finance, LLC, c/o Saldutti Law Group, 1040 Kings Highway N., Suite 100, Cherry Hill, NJ 08034-1925 + Email/Text: schristianson@buchalter.com cr Oracle America, Inc., Buchalter PC, c/o Shawn M. Apr 13 2023 20:19:00 Christianson, 425 Market St., Suite 2900, San Francisco, Ca 94105-2491 + Email/Text: neil.orleans@judithwross.com cr Apr 13 2023 20:19:00 Tenaska Power Services Co., c/o Ross & Smith, P.C., Attn: Judith W. Ross, 700 N. Pearl Street, Suite 1610, Dallas, TX 75201-7459 cr ^ MEBN Texas Comptroller of Public Accounts, Revenue Apr 13 2023 20:19:06 Acco, Christopher S. Murphy, P.O. Box 12548, Austin, TX 78711-2548 + Email/Text: BKECF@traviscountytx.gov cr Apr 13 2023 20:19:00 Travis County, c/o Jason A. Starks, P.O. Box 1748, Austin, TX 78767-1748

TOTAL: 8

District/off: 0541-4

# BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address 36th Street Capital Partners, LLC
cr		ABLe Communications, Inc.
cr		Ad Hoc Group of Secured Convertible Noteholders
cr		Anchorage Lending CA, LLC
intp		B. Riley Commercial Capital, LLC
cr		Barings BDC, Inc.
cr		Barings Capital Investment Corporation
cr		Barings Private Credit Corp.
cr		BlockFi Lending LLC
cr		BlockFi, Inc. and its affiliated entities
cr		Bremer Bank
cr		Brown Corporation Brown Corporation, 311 Pointe North Place #4, Dalton, UNITED STATES
cr		CEC Energy Services LLC
cr		Celsius Mining, LLC
cr		Charles Basil
cr		City of Denton
cr		Coonrod Electric Co. LLC
intp		Foundry Digital LLC
cr		General Casualty Company of Wisconsin
intp		Harper Construction Company, Inc.
cr		Huband-Mantor Construction, Inc.
cr		Humphrey & Associates, Inc.
cr		MK Marlow Company, LLC
cr		MP2 Energy Texas LLC d/b/a Shell Energy Solutions
cr		Marnoy Interests, Ltd. d/b/a Office Pavilion
cr		MassMutual Asset Finance, LLC
cr		Mitch Edwards
cr		NYDIG ABL LLC
intp		Official Committee of Equity Security Holders
crcm		Official Committee of Unsecured Creditors

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cr Prime Alliance Bank, Inc.
cr Priority Power Management, LLC
intp SRPF A QR Riversouth LLC

cr Sphere 3D Corp.

cr Summit Electric Supply Company, Inc.

cr TOYOTA INDUSTRIES COMMERCIAL FINANCE INC.

cr Texas Capitalization Resource Group, Inc., 5201 Camp Bowie Blvd. Suite 200, Fort Worth

intp The Ad Hoc Equity Group intp Trinity Capital Inc.

cr Wingspire Equipment Finance, LLC

TOTAL: 40 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

# NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 15, 2023 Signature: /s/Gustava Winters